

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marvallous Keene,)	
)	
Petitioner,)	Case No. 1:00-CV-421
)	
vs.)	
)	
Betty Mitchell, Warden,)	
)	
Respondent.)	

Order Adopting Report and Recommendation

On August 25, 2004, United States Magistrate Judge Michael R. Merz issued a Report and Recommendation in this matter. The Magistrate Judge recommended that Petitioner's petition for writ of habeas corpus be dismissed with prejudice. Petitioner filed objections, and, on February 24, 2005, the Magistrate Judge issued a Supplemental Report and Recommendation addressing those objections. He again recommended that the petition be dismissed with prejudice. The Magistrate Judge granted a motion by Petitioner Keene to extend to April 4, 2005, the deadline for the filing of objections to the Supplemental Report and Recommendation. As of this date, however, Petitioner Keene has not done so.

The Court has reviewed the Supplemental Report and Recommendation for plain error and hereby **ADOPTS** the Supplemental Report and Recommendation *in toto*. Petitioner's objections to the original Report and Recommendation are hereby **OVERRULED**, and the Court also **ADOPTS** the original Report and Recommendation.

Petitioner's petition for writ of habeas corpus is hereby
DISMISSED with prejudice, and this action is **CLOSED** on this
Court's docket.

IT IS SO ORDERED.

/s/
Sandra S. Beckwith, Chief Judge
United States District Court